

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA**  
CHARLOTTESVILLE DIVISION

KEITH JACKSON,

*Plaintiff,*

v.

BECCM COMPANY, INC. ET AL,

*Defendants.*

CIVIL NO. 3:09cv00054

ORDER

JUDGE NORMAN K. MOON

In accordance with the accompanying Memorandum Opinion, it is hereby ORDERED that Plaintiff's motion for judgment on the pleadings (docket no. 34) is DENIED. Plaintiff's motion to dismiss (docket no. 26) is granted without prejudice as to counts I, II, and IV of defendant's counterclaims, and denied as to Count III.

It is so ORDERED.

The Clerk of the Court is hereby directed to send a certified copy of this Order and the accompanying Memorandum Opinion to all counsel of record.

ENTERED: This 5<sup>th</sup> Day of January, 2010

  
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NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE